

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

IN THE MATTER OF)	AMENDED
PROCEDURES FOR FEE APPLICATIONS)	GENERAL ORDER 2001-1
IN CHAPTER 13 CASES)	

Upon the report of the Chapter 13 Fee Procedures Committee, issued August 7, 2000, and its own investigation, the Court determines that it is appropriate to institute a revised system for awarding attorneys fees and costs in Chapter 13 cases while insuring timely and competent representation of debtors, and continue the process of evaluating local procedures for administration of Chapter 13 cases, and particularly for allowance of fees and expenses to attorneys representing Chapter 13 debtors.

To establish and monitor a new system of case representation and fee awards, it is appropriate for the issuance of this General Order. To establish a system for monitoring and reviewing the efficacy of this system, there should be generation of reliable data with regard to the time spent and the fees charged in representation of debtors in Chapter 13 cases and study of such data by the Court, United States Trustee, Chapter 13 Trustee and representatives of the Bar prior to formulation of appropriate amendments to the Local Bankruptcy Rules.

To foster consistency among the divisions of this Court in Chapter 13 matters and to generate sufficient, reliable data for review and evaluation,

IT IS HEREBY ORDERED that:

1. The following fee allowance procedures shall be applicable in all Chapter 13 cases filed between January 1, 2001 and December 31, 2002. This Order shall supercede L.B.R. 216 and General Order 2001-1 to the extent such provisions are inconsistent.
2. For allowance of attorneys fees in Chapter 13 cases, attorneys shall provide the Basic Services specified in Exhibit A, as necessary, in a timely and competent manner.
3. All Applications for allowance of fees and reimbursement of expenses pursuant to 11 U.S.C. § 330 shall be made using Exhibit B. All Applications shall be filed within 15 days after the date of entry of the Order confirming the Chapter 13 plan and shall be served upon the Chapter 13 Trustee and the debtor(s) with a notice conforming to L.B.R. 202 and Fed. R. Bankr. P. 2002(a). The Chapter 13 Trustee and debtor(s) shall have 20 days from the date of service to file a response.
 - a. If the total fees charged for representation through confirmation of a plan do not exceed \$1,500.00, Applicant need not supplement Exhibit B, except upon express order by the Court. Absent objection or Order to supplement the Application or otherwise justify the fee, the requested fee and expenses will be allowed without a hearing.

- b. If the Applicant requests allowance of a fee in excess of \$1,500.00, the Application shall be made by using Exhibit B, which shall be supplemented by a detailed description of all services rendered, the time spent for each service, the charge for each service, and such other and further information as the Applicant believes is necessary to justify allowance of the fee pursuant to 11 U.S.C. § 330(a)(1), (3) and (4). The Chapter 13 Trustee shall file an objection or statement that there is no objection to each Application requesting a fee in excess of \$1,500.00. If there is no objection, the Court may allow the fee as requested, order further supplementation or set the Application for hearing. Any Order setting a hearing on an unopposed Application shall specify all inadequacies or deficiencies in the Application which may result in disallowance of the requested fees or expenses.
- c. If an objection is filed, the Application and objection promptly will be set for hearing.

4. On or about June 30, 2002, the Clerk of the Court will submit an analysis of the data generated with regard to fee applications filed in Chapter 13 cases between October 1, 2001 and June 30, 2002, for consideration by the Court and Bankruptcy Liaison Committee of the Federal Faculty of Advocates.

This General Order shall become effective January 1, 2002.

Dated: _____

BY THE COURT:

Marcia S. Krieger, Chief Judge

A. Bruce Campbell, Judge

Sidney B. Brooks, Judge

Elizabeth E. Brown, Judge

Donald E. Cordova, Judge